

REMARKS/ARGUMENTS

Applicant would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office action. Review of the subject application in view of the present amendment/remarks is respectfully requested.

Double Patenting

Claims 1-8 were rejected under 35 U.S.C. 101 as being drawn to the same invention as claims 1-8 of Application No. 10/620, 177, which corresponds to U.S. Patent Application Publication 2005/0011222 to Hallin, assigned to Dometic Appliances AB.

The Examiner's rejection is respectfully traversed because Application No. 10/620,177 was abandoned for failure to respond to an Office action and no ground for a double patenting rejection exists. Thus, the rejection was improper and must be withdrawn.

Claim Rejections – 35 USC § 102

Claims 1-7 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 2,728,198 to Schumacher (hereinafter "the '198 patent"). For at least the following reasons, the Examiner's rejection is respectfully traversed.

First, claim 1 recites an "absorption refrigerator" which relies on a heat source to drive the system rather than a compressor. The specification describes an absorption refrigerator system that includes a heat source such as a conventional boiler (p. 3, lns. 1-3) and, therefore, proper support for this limitation exists in the specification. Contrastingly, the '198 patent discloses a compressor-based refrigerator with a condensing unit 6 which comprises a motor-compressor unit within a hermetically sealed case 7 (col. 2, lns. 3-6). Accordingly, the '198 patent does not disclose "an absorption refrigerator."

Second, the refrigerant flow is opposite that of the claimed subject matter. In particular, claim 1 further recites that “a first tube section” is “arranged to absorb heat from the low temperature compartment”, “a second tube section” is “arranged to absorb heat from the higher temperature compartment”, and “the first, second, and third tube sections are connected in series and the first tube section is arranged upstream of the second tube section.” Contrastingly, in the ‘198 patent, refrigerant flows from a high temperature evaporator 9 to a low temperature evaporator 10 (col. 2, lns. 15-50) while refrigerant flow occurs from the lower temperature compartment to the higher temperature compartment in claimed subject matter. The direction of refrigerant flow can be inferred from that fact that, in the ‘198 patent, vaporized refrigerant is returned to the motor-compressor unit through a suction line 13 from a header 14 of the low temperature evaporator (col. 2, lns. 27-30). Moreover, it is described that the refrigerating system of the ‘198 patent includes “the high temperature evaporator, pressure differential device, ice freezing section, and low temperature evaporator connected in that order in a series refrigerating system” (col. 2, lns. 46-50). Thus, the ‘198 patent does not disclose the limitation that “the first tube section is arranged upstream of the second tube section.”

Therefore, because the ‘198 patent does not disclose each and every limitation of base claim 1 and claims depending therefrom, the rejection was improper and must be withdrawn.

Claim Rejections – 35 USC § 103

Claim 8 was rejected under 35 U.S.C. 103(a) as being unpatentable over the ‘198 patent and further in view of U.S. Patent No. 3,803,862 to Schumacher (hereinafter “the ‘862 patent”). The Examiner’s rejection is respectfully traversed for the above discussed reasons.

The ‘862 patent also discloses a compressor-based refrigerator (see compressor component 8) that is unrelated to the claimed subject matter. Moreover, refrigerant flow is also

opposite in the '862 patent because the refrigeration system includes means for conveying warm compressed refrigerant directly from the condenser outlet to the inlet of the evaporator or, more specifically, bypassing the flow restrictor 38. Therefore, a combination of the '198 patent with the '862 patent would not result in the claimed invention.

In light of the foregoing, it is respectfully submitted that the present application is in condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. WDOK-39335.

Respectfully submitted,
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